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13 United States of America

14 UNITED STATES DISTRICT COURT

15 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 WESTERN DIVISION

17 UNITED STATES OF AMERICA,) NO. CV 12-08426 DDP (JCx)
18 Plaintiff,)
19 vs.) CONSENT JUDGMENT OF FORFEITURE
20 \$26,916.00 IN U.S. CURRENCY,)
21 Defendant.)
22 _____)
23 TIMOTHY BAKER,)
24 Claimant.)
25 _____)

26 cc: FISCAL

1 Plaintiff and Claimant Timothy Baker ("Claimant") have made
2 a stipulated request for the entry of this Consent Judgment,
3 resolving this action in its entirety. The defendant currency
4 was seized from Claimant, and he asserts an interest in the
5 defendant currency and has filed a claim in this case and
6 answered the complaint. No other claims or answers were filed,
7 and the time for filing claims and answers has expired. No
8 other person is believed to have any claim to the defendant
9 currency.

10 The Court, having considered the stipulation of the
11 parties, and good cause appearing therefor, HEREBY ORDERS
12 ADJUDGES AND DECREES:

13 1. The government has given and published notice of this
14 action as required by law, including Rule G of the Supplemental
15 Rules for Admiralty or Maritime Claims and Asset Forfeiture
16 Actions, Federal Rules of Civil Procedure, and the Local Rules
17 of this Court. Other than those filed by Timothy Baker, no
18 claims or answers have been filed to contest the forfeiture of
19 the defendant currency, and the time for filing claims and
20 answers has expired. This Court has jurisdiction over the
21 parties to this judgment and the defendant currency. Any
22 potential claimants to the defendant currency other than
23 Claimant are deemed to have admitted the allegations of the
24 complaint with respect to the defendant currency.

25 2. \$10,000.00 of the defendant U.S. Currency, without
26 interest, shall be returned to Claimant through his counsel.
27 The United States Marshals Service shall return the defendant
28 \$10,000.00 to claimant not later than 45 days after (a) the

1 court enters this Consent Judgment and (b) Claimant provides to
2 the government the bank routing and personal identifiers needed
3 to effect a wire transfer of the funds, whichever is later.

4 3. The government shall have judgment against the
5 interests of Claimant (and any potential claimants) as to the
6 remaining \$16,916.00 of the defendant U.S. currency, which asset
7 is hereby forfeited and condemned to the United States, and no
8 other right, title or interest shall exist therein. The
9 government shall dispose of the forfeited asset according to
10 law.

11 4. Claimant has agreed to release the United States of
12 America, its agencies, agents, and officers, including employees
13 and agents of the Federal Bureau of Investigation ("FBI"), as
14 well as all agents, officers, employees and representatives of
15 any state or local government or law enforcement agency involved
16 in the investigation or prosecution of this matter, from any and
17 all claims, actions or liabilities arising out of or related to
18 the seizure and retention of the defendant currency and/or the
19 commencement of this civil forfeiture action, including, without
20 limitation, any claim for attorneys' fees, costs or interest
21 which may be asserted on behalf of Claimant against the United
22 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.

23 5. The court finds that there was reasonable cause for the
24 seizure of the defendant currency and the institution of this
25 action as to the defendant currency. This judgment constitutes
26 a certificate of reasonable cause pursuant to 28 U.S.C. § 2465
27 as to the defendant currency.

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6. Each of the parties shall bear its own fees and costs in connection with the seizure, retention and return of the defendant currency.

7. The Motion to Strike (docket number 15) is vacated.

DATED: August 14, 2013

Frank Dreyer

THE HONORABLE DEAN D. PREGERSON
UNITED STATES DISTRICT JUDGE

Prepared by:

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